

DEPARTMENT OF ADMINISTRATIVE HEARINGS (45)

AGENCY PLAN: STATEMENT OF PURPOSE, GOALS AND BUDGET SUMMARY

STATEMENT OF PURPOSE:

The Department of Administrative Hearings will help support the Mayor's initiative to create a cleaner city by establishing an efficient and cost-effective manner to adjudicate cases in an impartial and independent forum.

AGENCY GOALS:

1. Adjudicate blight code violations issued by authorized City agents.
2. Streamline adjudication of code violations by providing administrative hearings.
3. Enhance collectibility of fines and fees, through garnishments and liens utilizing the Department's decisions and orders.
4. Adjudicate violations with sensitivity to their impact on the escalating problem of blight in Detroit.

AGENCY FINANCIAL SUMMARY:

2007-08 <u>Requested</u>		2006-07 <u>Budget</u>	2007-08 <u>Recommended</u>	Increase (Decrease)
\$ 2,316,999	City Appropriations	\$ 2,233,976	\$ 2,199,607	\$ (34,369)
\$ 2,316,999	Total Appropriations	\$ 2,233,976	\$ 2,199,607	\$ (34,369)
\$ 887,067	City Revenues	\$ 1,115,941	\$ 887,067	\$ (228,874)
\$ 887,067	Total Revenues	\$ 1,115,941	\$ 887,067	\$ (228,874)
\$ 1,429,932	NET TAX COST:	\$ 1,118,035	\$ 1,312,540	\$ 194,505

AGENCY EMPLOYEE STATISTICS:

2007-08 <u>Requested</u>		2006-07 <u>Budget</u>	04-01-07 <u>Actual</u>	2007-08 <u>Recommended</u>	Increase (Decrease)
<u>6</u>	City Positions	<u>6</u>	<u>6</u>	<u>6</u>	<u>0</u>
6	Total Positions	6	6	6	0

ACTIVITIES IN THIS AGENCY:

	2006-07 <u>Budget</u>	2007-08 <u>Recommended</u>	Increase (Decrease)
Blight Violation Adjudication	\$ 2,233,976	\$ 2,199,607	\$ (34,369)
Total Appropriations	\$ 2,233,976	\$ 2,199,607	\$ (34,369)

DEPARTMENT OF ADMINISTRATIVE HEARINGS (45)

DEPARTMENT OF ADMINISTRATIVE HEARINGS ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: BLIGHT VIOLATIONS ADJUDICATION

The Department of Administrative Hearings (DAH) incorporates the Municipal Ordinance Violations Bureau's (MOVB) collection process into its system, thereby establishing new procedures for the administration, adjudication and collection of blight violations into one framework. The Zoning, Environmental, and Property Maintenance branches of the MOVB are now adjudicated under the Department of Administrative Hearings. The DAH will assess civil fines and costs pursuant to the schedules of violations for the Blight Ordinances. Under the DAH, violation notices will contain hearing dates, so no separate citation will be generated, and hearings will yield Decisions and Orders with which a defendant must comply or appeal to the 3rd Circuit Court of Michigan.

GOALS:

1. Adjudicate unlimited numbers of blight code violations issued by authorized City agents.
2. Streamline adjudication of code violations by providing administrative hearings.
3. Enhance collectibility of fines and fees, through garnishments and liens utilizing the Department's decisions and orders.
4. Adjudicate violations with sensitivity to their impact on the escalating problem of blight in Detroit.

MAJOR INITIATIVES FOR FY 2006-07:

The DAH opened its doors in January 2005 at 561 E. Jefferson. Since then, 78,444 blight violation notices have been issued by the enforcing agencies and 72,070 DAH hearings have been held. The City intends for inspectors and police officers to eventually generate violation notices in the field electronically using laptops or handheld ticket writing devices with portable printers. The total future volume of violations is not known, but it is expected to decrease in subsequent years, as the deterrent effects of the increased enforcement effort begin to accrue throughout the city. Fines and revenues for Solid Waste/Illegal Dumping violations are recorded in the Department of Environmental Affairs, and for Zoning and Property Maintenance violations in the Department of Buildings and Safety Engineering.

PLANNING FOR THE FUTURE FY 2007-08, FY 2008-09, and BEYOND:

The department is looking at the possibility of handling cases in the community. This would allow residents of the city to commute a shorter distance to have their cases heard in the neighborhoods where the violations occur.

Also, the possibility of expanding the DAH's jurisdiction is being looked into. It is possible that lead-based paint violations, as well as abandoned vehicle violations could be added as code violations to be heard by this department.

The City of Chicago's Department of Administrative Hearings addresses quality of life offenses with the following Hearing Divisions: Buildings, Consumer Affairs, Environmental Safety, Municipal, Vehicles, and Community Service. Every year the department's administrative law officers preside over 400,000 cases, including tens of thousands of cases previously prosecuted in an overburdened state court system. Cases include general violations of the Municipal Code related to disorderly conduct, permits, public drinking, graffiti and vandalism, peddling, business license permits, public taxis and liveries, and consumer fraud and deception. More City of Detroit codes are already contemplated for decriminalization, according to careful study of the programs effectiveness here.

DEPARTMENT OF ADMINISTRATIVE HEARINGS (45)***BLIGHT VIOLATIONS ADJUDICATION MEASURES AND TARGETS***

Type of Performance Measure:	2004-05	2005-06	2006-07	2007-08
List of Measures	Actual	Actual	Projection	Target
Outputs: Units of Activity directed toward Goals				
Number of zoning division violations heard	4,935	11,350	11,350	11,350
Number of environmental division violations heard	3,563	9,350	9,350	9,350
Number of property maintenance division violations heard	7,030	20,700	20,700	20,700
Average number of days between violation issuance and hearing date	55	55	55	55
Percent of Decisions and Orders appealed	<1%	<1%	<1%	<1%
Percent of Decisions and Orders overturned	0%	0%	0%	0%
Efficiency: Program Costs related to Units of Activity				
Percent of Orders in delinquency	50%	50%	50%	50%
Percent of cases that are no-show	50%	50%	50%	50%
Activity Costs	\$898,613	\$1,582,305	\$2,233,976	\$2,199,607

CITY OF DETROIT
Department of Administrative Hearings
Financial Detail by Appropriation and Organization

Administration	2006-07 Redbook		2007-08 Dept Final Request		2007-08 Mayor's Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Blight Violation Adjudication						
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
AC0545 - Blight Violation Adjudication						
450010 - Administration	6	\$2,233,976	6	\$2,316,999	6	\$2,199,607
APPROPRIATION TOTAL	6	\$2,233,976	6	\$2,316,999	6	\$2,199,607
ACTIVITY TOTAL	6	\$2,233,976	6	\$2,316,999	6	\$2,199,607

CITY OF DETROIT
Budget Development for FY 2007-2008
Appropriations - Summary Objects

	2006-07 Redbook	2007-08 Dept Final Request	2007-08 Mayor's Budget Rec
AC0545 - Blight Violation Adjudication			
<i>A45000 - Department of Administrative Hearings</i>			
SALWAGESL - Salary & Wages	362,117	365,811	365,811
EMPBENESL - Employee Benefi	264,045	264,195	241,803
PROFSVCSL - Professional/Cont	1,246,304	1,298,460	1,298,460
OPERSUPSL - Operating Supplie	10,000	20,000	10,000
OPERSVCSL - Operating Service	331,510	348,533	278,533
CAPEQUPSL - Capital Equipmen	20,000	20,000	5,000
<i>A45000 - Department of Administrative</i>	<i>2,233,976</i>	<i>2,316,999</i>	<i>2,199,607</i>
AC0545 - Blight Violation Adjudication	2,233,976	2,316,999	2,199,607
Grand Total	2,233,976	2,316,999	2,199,607

CITY OF DETROIT
Budget Development for FY 2007-2008
Appropriation Summary - Revenues

	2005-06 Actuals	2006-07 Redbook	2007-08 Dept Final Request	2007-08 Mayor's Budget Rec	Variance
A45000 - Department of Administrative Hearin					
<i>11159 - Blight Violation Adjudication</i>					
446100 - Administration Fee	115,690	899,248	677,922	677,922	(221,326)
448115 - Other Fees	0	0	0	0	0
448150 - Other Fees-State	(5,960)	0	0	0	0
448300 - Circuit Court Appeals Fe	0	200	900	900	700
448301 - Motion Fee	7,853	16,348	8,160	8,160	(8,188)
448302 - Subpoena Request Fee	0	60	0	0	(60)
449165 - Personal Services-Engr	200,000	200,000	200,000	200,000	0
455180 - Other Fines	(4,428)	0	0	0	0
472150 - Other Miscellaneous	433	85	85	85	0
<i>11159 - Blight Violation Adjudication</i>	<i>313,588</i>	<i>1,115,941</i>	<i>887,067</i>	<i>887,067</i>	<i>(228,874)</i>
A45000 - Department of Administrative He:	313,588	1,115,941	887,067	887,067	(228,874)
Grand Total	313,588	1,115,941	887,067	887,067	(228,874)

CITY OF DETROIT
MAYOR'S 2007/2008 RECOMMENDED BUDGET

Department of Administrative Hearings

Appropriation	REDBOOK FY 2006	DEPT REQUEST	MAYORS FY 2007
Organization	2007 FTE	FY 2007 2008	2008 FTE
Classification			
11159 - Blight Violation Adjudication			
450010 - Administration			
Dir of Administrative Hearings	1	1	1
Mgr of Administrative Hearings	1	1	1
Administrative Specialist I	1	1	1
Principal Governmental Analyst	1	1	0
Office Assistant III	2	2	2
Principal Accountant	0	0	1
Total Administration	6	6	6
Total Blight Violation Adjudication	6	6	6
Agency Total	6	6	6